

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

PAMELA G. CAPPETTA

Plaintiff,

v.

GC SERVICES, LP

Defendant.

Civil Action
No. 3:08cv288

**PLAINTIFF'S MEMORANDUM IN SUPPORT OF HER MOTION FOR
ENLARGEMENT OF TIME TO SUBMIT HER MEMORANDUM IN OPPOSITION TO
DEFENDANT'S MOTION TO QUASH SUBPOENAS**

COMES NOW the Plaintiff, and as for her Memorandum in Support of her Motion for Enlargement of Time to Submit her Memorandum in Opposition to Defendant's Motion to Quash Subpoenas, she states as follows:

Plaintiff has articulated her reasons in the joint stipulation as to why she believes that the Defendant lacks standing to prosecute the instant motion. However, in a series of calls which began last week, the parties have been discussing how this issue might ultimately be resolved. Today, February 20th, 2009, the parties conducted a formal tele-conference with Microbilt's general counsel and outside counsel and began to outline a possible resolution for this dispute. Counsel for the Defendant extended the courtesy of an extension for Plaintiff's opposition to February 24th, 2009 so that the parties might continue in this effort, to the extent that this case continues beyond the February 24th settlement conference before Judge Dohnal. Accordingly, with the agreement of opposing counsel, Plaintiff moves that this Court extend her time to file her opposition to Defendant's Motion to Quash until February 24, 2009 so that the parties can continue to meet and confer in good faith and pursuant to this Court's continued guidance in an effort to narrow or eliminate this discovery dispute by agreement.

Respectfully submitted,
PAMELA G. CAPPETTA,

/s/

Matthew J. Erasquin, VSB#65434
Leonard A. Bennett, VSB#37523
Counsel for the Plaintiff
CONSUMER LITIGATION ASSOCIATES, P.C.
3615-H Chain Bridge Road
Fairfax, VA 22030
Tel: 703-273-7770
Fax: 888-892-3512
matt@clalegal.com

CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of February, 2009 I have electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification to the following:

Rebecca H. Royals
Butler Williams & Skilling PC
100 Shockoe Slip, 4th Floor
Richmond, VA 23219
royals@butlerwilliams.com

James Curie Skilling
Butler Williams & Skilling PC
100 Shockoe Slip, 4th Floor
Richmond, VA 23219
jskilling@butlerwilliams.com

Zev Hillel Antell
Butler Williams & Skilling PC
100 Shockoe Slip, 4th Floor
Richmond, VA 23219
zantell@butlerwilliams.com

David Matthew Schultz
Hinshaw & Culbertson LLP
222 N LaSalle St., Suite 300
Chicago, IL 60601
dschultz@hinshawlaw.com

_____/s/
Matthew J. Erasquin, VSB#65434
Leonard A. Bennett, VSB#37523
Counsel for the Plaintiff
CONSUMER LITIGATION ASSOCIATES, P.C.
3615-H Chain Bridge Road
Fairfax, VA 22030
Tel: 703-273-7770
Fax: 888-892-3512
matt@clalegal.com